

IFW

PATENT  
DOCKET NO. JHV-028.01

In re Application of:

Gallagher, M., et al.

Application No: 10/722,357

Filed: November 24, 2003

For: Target for Therapy of Cognitive  
Impairment

Art Unit: 1641

Examiner: Not Yet Known

Attention: Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on *June 17, 2004*.

  
Steve Pereira

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Because this application was filed after June 30, 2003, copies of the U.S. patents are not enclosed. However, a copy of the foreign patent documents and copies of the references are also being submitted.

**REMARKS**

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed:

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of**

**entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office Action** on the merits, or before the mailing of a **first Office Action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or

- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or
- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

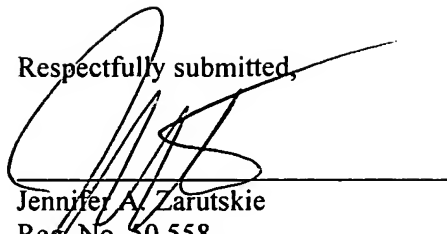
#### STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Date: June 17, 2004

Respectfully submitted,



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**INFORMATION DISCLOSURE CITATION**  
**IN AN APPLICATION**  
*(Use several sheets if necessary)*

Docket Number (Optional)

JHV-028.01

Application Number  
10/722,357

Applicant

Gallagher, Michela et al.

Filing Date

November 24, 2003

Group Art Unit

1645

**U.S. PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
A1	4,558,070	05/13/86	Smith			
A2	4,563,419	01/07/86	Ranki et al.			
A3	4,595,695	06/17/86	Ladkani			
A4	4,654,370	03/31/87	Marriott, III, et al.			
A5	4,683,202	07/28/87	Mullis			
A6	4,751,177	01/14/88	Stabinsky			
A7	4,868,103	09/19/89	Stavrianopoulos et al.			
A8	4,895,873	1/23/90	Schafer			
A9	4,913,906	04/03/90	Friedman et al.			
A10	5,017,613	05/21/91	Aubert et al.			
A11	5,019,398	05/28/91	Daste			
A12	5,049,586	09/17/91	Ortega et al.			
A13	5,143,854	09/01/1992	Pirrung et al.			
A14	5,162,573	11/10/92	Chiesi et al.			
A15	5,252,743	10/12/1993	Barrett et al.			
A16	5,283,317	02/01/1994	Saifer et al.			
A17	5,384,261	01/24/1995	Winkler et al.			
A18	5,412,087	05/02/1995	McGall et al.			
A19	5,424,186	06/13/1995	Fodor et al.			
A20	5,440,023	08/08/95	Cheng et al.			
A21	5,451,683	09/19/95	Barrett et al.			
A22	5,563,037	10/08/96	Sutherland et al.			
A23	5,571,639	11/15/96	Hubbell et al.			

Form PTO-1449

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(Use several sheets if necessary)

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	A24	5,578,475	11/26/96	Jessee			
	A25	5,593,839	01/14/1997	Hubbell et al.			
	A26	5,599,695	02/04/1997	Pease et al.			
	A27	5,624,711	04/29/1997	Sundberg et al.			
	A28	5,627,175	05/06/97	Simon			
	A29	5,631,169	05/20/97	Lakowicz et al.			
	A30	5,631,734	05/20/1997	Stem et al.			
	A31	5,641,670	06/24/97	Treco et al.			
	A32	5,677,195	10/14/1997	Winkler et al.			
	A33	5,705,308	01/06/98	West et al.			
	A34	5,773,746	06/30/98	Vaden			
	A35	5,733,761	06/31/98	Hartikainen et al.			
	A36	5,744,335	04/28/98	Wolff et al.			
	A37	5,856,569	01/05/99	Santaniello et al.			
	A38	5,968,502	10/19/99	Treco et al.			
	A39	5,976,567	11/02/99	Wheller et al.			
	A40	6,020,202	02/01/00	Jessee			
	A41	6,051,380	04/18/00	Sosnowski et al.			
	A42	6,083,697	07/04/00	Beecher et al.			
	A43	6,051,429	04/18/00	Hawley-Nelson et al.			
	A44	6,131,106	10/10/00	Steele, Jr.			
	A45	6,203,897	03/20/01	Koizumi et al.			
	A46	6,263,287	07/17/01	Zheng et al.			
	A47	6,326,462	12/04/01	Debouck et al.			
	A48	6,565,844	05/20/03	Treco et al.			
	A49	6,610,326	08/26/03	Chen et al.			
	A50	6,702,989	03/09/04	Sacks et al.			

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
	B1	EP 624,059 (provided as WO 93/09668)	11/17/94	AT BE CH DE DK ES FR GB GR IE IT LI LU MC NL SE			

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/	B2	EP 0 070 685 B1	01/26/83	BE CH DE FR GB IT LI NL				
	B3	EP 0 728 520 A1	08/28/96	DE FR GB IT NL				
	B4	EP 0 728 520 B1	05/16/01	DE FR GB IT NL				
	B5	GB 2156074A	10/02/85	GREAT BRITAIN				
✓	B6	WO 90/01564	02/22/90	PCT				
	B7	WO 90/15070	12/13/90	PCT				
/	B8	WO 92/10092	06/25/92	PCT				
/	B9	WO 93/06121	04/01/93	PCT				
/	B10	WO 93/09668	05/27/93	PCT				
	B11	WO 94/08051	04/14/94	PCT				
/	B12	WO 94/10300	05/11/94	PCT				
/	B13	WO 95/01195	01/12/95	PCT				
	B14	WO 95/12608	05/11/95	PCT				
	B15	WO 95/30642	11/16/95	PCT				
	B16	WO 95/35503	12/28/95	PCT				
	B17	WO 96/17958	06/13/96	PCT				
	B18	WO 97/10365	03/20/97	PCT				
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/	B21	WO 97/17076	05/15/97	PCT				
	B22	WO 97/17471	05/15/97	PCT				

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(Including Author, Title, Date, Pertinent Pages Etc.)

C1	Abbott, "Nature, 417:109, 2002
C2	Ahn et al., Proc. Nat'l. Acad. Sci., USA, 100:1740-4, 2003
C3	Amador and Wacker, Clin Chem 8:343, 1962
C4	Aronica et al., Eur. J. Neurosci. 17: 2106-18, 2003

Form PTO-1449		Docket Number (Optional)	JHV-028.01	Application Number	10/722,357
<b>INFORMATION DISCLOSURE CITATION</b> <b>IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>		Applicant			
		Gallagher, Michela et al.			
		Filing Date	November 24, 2003	Group Art Unit	1645
	C5	Barlassina C, et al. J. Am. Soc. Nephrol. Suppl., 3:S155-S164, 2002			
	C6	Bowtell, David D. L., Nature Genetics Suppl., 21:25-32, 1999			
	C7	Chappell et al. Neuropharm. 37: 481-488; 1998			
	C8	Colombo et al. Proc. Natl. Acad. Sci., U.S.A., 94: 14195-14199, 1997			
	C9	Conradt, J. Neurochem. 68:1244-51 1997			
	C10	Do et al., Anesth. Analg. 95:1263-8, 2002			
	C11	Duggan et al. Nat. Genetics, 21:10-14, 1999			
	C12	Eberwine et al., Proc. Natl. Acad. Sci., U.S.A., 89:3010-3014, 1992			
	C13	Figiel and Engele, J. Neurosci. 20: 3596-3605, 2000			
	C14	Fodor et al., Science 251:767-777, 1991			
	C15	Gallagher, M. et al., Behav. Neurosci. 107:618-626; 1993			
	C16	Gallagher and Burwell, Neurobiol. Aging 10: 691-708, 1989			
	C17	Hassel et al., J. Neurochem. 77: 1285-1292, 2001			
	C18	Heemskerk et al., T.I.N.S., 25: 494-496, 2002			
	C19	Hegde et al., BioTechniques, 29:548-562, 2000			
	C20	Hegele RA., Trends Endocrinol. Metab. 14:371-377, 2003			
	C21	Hughes, et al., Nature Biotechnology, 19: 342-346, 2001			

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		Applicant			
		Gallagher, Michela et al.			
		Filing Date		Group Art Unit	
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	C22	Inoue et al., Nuc. Acids Res. 15: 6131-6148, 1987			
	C23	Karmen, J. Clin. Invest. 34:131, 1995			
	C24	Lin et al., Nature 410: 84-88, 2001			
	C25	Livesey et al., Current Biology 10:301-310, 2000			
	C26	Lockhart et al., Nature Biotech. 14:1678-1680, 1996			
	C27	Moro and Lerner, J. Biol. Chem. 272(2):966-70, 1997			
	C28	Murphy, et al., J. Neurosci. 78: 704-714, 2001			
	C29	Nicolle et al. Neuroscience 74: 741-756, 1996			
	C30	Nicolle et al. J. Neurosci. 19: 9604-9610, 1999			
	C31	Obaru et al., J. Mol. Biol. 200:13022, 1988			
	C32	O'Loinsigh, et al., J. Neurochem. 88: 370-379, 2004			
	C33	Rapp and Gallagher, Proc. Natl. Acad. Sci., U.S.A., 93: 9926-9930, 1996			
	C34	Sakai et al., Anal. Biochem., 287: 32-37, 2000			
	C35	Schena et al., Science, 270:467-470, 1995			
	C36	Schena et al., TIBTECH, 16:301-30, 1998.			
	C37	Sheldon et al., Clin. Chem., 39:718-719, 1993			
	C38	Shih, et al. Curr. Diab. Rep. 2:125-134, 2002			



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<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>		Applicant Gallagher, Michela et al.			
		Filing Date November 24, 2003		Group Art Unit 1645	
	C39	Shimada et al., Eur. J. Pharmacol. 386:263-70, 1999			
	C40	Spirin et al., Investigative Ophthalmology & Visual Science, 40: 3108-3115, 1999			
	C41	Su et al., Proc. Nat'l. Acad. Sci., U.S.A., 100:1955-1960, 2003			
	C42	Wei et al., Proc. Nat'l. Acad. Sci., U.S.A., 100:10782-7, 2003			
EXAMINER				DATE CONSIDERED	
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.					

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE